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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,035	12/30/2003	Jiping Zhang	2003P18909US	6764
7590	02/01/2006		EXAMINER	
Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			NGUYEN, TRAN N	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/748,035	ZHANG ET AL.	
	Examiner	Art Unit	
	Tran N. Nguyen	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1203</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 12-16 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Sismour, Jr. (USP 4,870,308).

Sismour discloses an interconnecting assembly (figs 1-4) for a rotor assembly of a dynamoelectric machine, said interconnecting assembly (39) being part of a conductive path generally extending from a radially inward section of the rotor assembly (fig 2) to a winding (21) located at a radially outward section of the rotor assembly, the interconnecting assembly (39) comprising:

a flexible member (65) comprising a bend (unnumbered, shown in figs 3-4); and a connector (41, 51) connected to the flexible member to pass axial and radial forces that develop during operation of the machine, the positioning of the connector at both ends relative to the flexible member being arranged so that an effect of an axial force on a radius of curvature of the bend and an effect of a radial force on said radius of curvature are opposed to one another, wherein:

the arrangement of the flexible member with respect to the winding and the connector would enable an axial force tends to close the bend, and a radial force tends to open the bend; the bend defines a mouth facing radially inwards (fig 2);

the flexible member (65) comprises a plurality of conductive leaves (69) and a gap (71) between adjacent leaves (69) in said bend (figs 3-5).

Double Patenting

The non-statutory double patenting rejection, whether of the obviousness-type or non-obviousness-type, is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent. *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); and *In re Goodman*, 29 USPQ2d 2010 (Fed. Cir. 1993).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(b) and © may be used to overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.78(d).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-22 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over **claims 1-19 of U.S. Patent Application 10/738,835 (which is allowed on 9/22/05, hereafter is referred as USPA'835)** in view of level of ordinary skills of a worker in the art.

This is provisional double patenting rejection.

The claimed invention of the USPA'835 and the present claimed invention are similar. Both claim a joined assembly, i.e., read as the present claimed an interconnecting assembly, for a rotor of a dynamoelectric machine, said joined assembly being part of a conductive path generally extending from a radially inward section of the rotor to a radially outward section of the rotor, comprising:

a flexible connecting member comprising a bend, wherein the flexible connecting member comprising multiple conductive leaves with a gap therebetween adjacent leaves for flexibly providing a resilient-connection relative to at least an axial and/or radial direction;

a connector mechanically connected to said flexible member by way of said resilient connection, said second connecting member electrically connected to said first connecting member and to the winding.

The present invention differs from the USPA'835 in following aspects: the flexible member comprises a first leg connected to a radial lead and extending along an axial direction, a second leg connected to the first leg through a curved section, wherein said second leg extends at an angle ranging from about two to about five degrees relative to a radial direction; and, the flexible member further comprises a third leg connected to the second leg through said bend, wherein said third leg extends at an angle ranging from about two to about five degrees relative to the radial direction, wherein the third leg includes an appendage comprising a connector interface section, said appendage extending at a different angle with respect to the radial direction than a remainder of the third leg.

Those skilled in the art would understand that it would have been obvious to an artisan to modify the configuration of the flexible member with different bends in order to provide support for the connection arrangement between the flexible connecting elements and the rigid connecting element as well as the position of these elements with respect to the stacked winding.

Thus, it would have been obvious to one skilled in the art at the time the invention was made to modify the USPA'835 invention by changing the shape of the flexible connecting member's bend portion so that there is a gap between leaves or the bend extending at an angle, as claimed. Doing so would ensure there is sufficient resiliency as required of the flexible connecting member to mechanically support the interconnecting assembly. Such modification of

changing in size or shape is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955) (emphasis added).

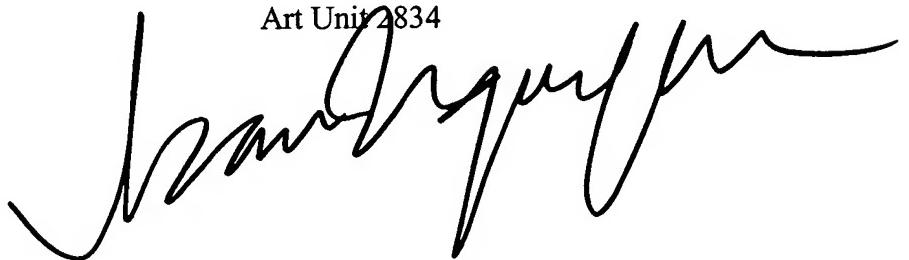
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N. Nguyen whose telephone number is (571) 272-2030. The examiner can normally be reached on M-T 6:00AM- 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tran N. Nguyen
Primary Examiner
Art Unit 2834

A handwritten signature in black ink, appearing to read "Tran N. Nguyen".